

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

TALYA SHOUP BURNETT,

Plaintiff,

V.

JOHN RICHARD BURNETT, II,

Defendant.

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Case No. 3:13-cv-492

Judge Mattice

Magistrate Judge Guyton

ORDER

On March 6, 2014, United States Magistrate Judge H. Bruce Guyton filed a Report and Recommendation (Doc. 24) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Guyton recommended that the Plaintiff's Motion for Attorneys' Fees (Doc. 20) be denied in part and granted in part, and that Plaintiff be awarded: (1) \$33,501.85 in reasonable legal fees; (2) \$836.60 in reasonable legal costs; and (3) \$6,799.20 in reasonable expenses. (*Id.*).

Neither party has filed any objections to the Magistrate Judge's Report and Recommendation.¹ Nevertheless, the Court has conducted a review of the Report and Recommendation and the record, and it agrees with Magistrate Judge Guyton's well-reasoned conclusions.

¹ Magistrate Judge Guyton specifically advised the parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive their right to appeal. (Doc. 24 at 9 n.3); see Fed. R. Civ. P. 72(b)(2); see also *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings"). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which the parties could timely file any objections has now passed.

Accordingly:

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Guyton's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b);
- Plaintiff's Motion for Attorneys' Fees (Doc. 20) is hereby **GRANTED IN PART** and **DENIED IN PART**;
- Judgment is hereby entered on behalf of Plaintiff in the amount of **\$41,137.65**. This judgment amount consists of \$33,501.85 in reasonable legal fees, \$836.60 in reasonable legal costs, and \$6,799.20 in reasonable expenses;
- All claims and matters in this action having now been resolved, the Clerk is **DIRECTED** to enter a copy of this Order as a Judgment and close this case.

SO ORDERED this 3rd day of April, 2014.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE